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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDWARD T. BERGO as CHAIRMAN and KARL  
BIK as CO-CHAIRMAN of the BOARD OF  
TRUSTEES FOR THE CEMENT MASONS  
HEALTH AND WELFARE TRUST FUND FOR  
NORTHERN CALIFORNIA; CEMENT MASONS  
VACATION/HOLIDAY TRUST FUND FOR  
NORTHERN CALIFORNIA; CEMENT MASONS  
PENSION TRUST FUND FOR NORTHERN  
CALIFORNIA; and CEMENT MASONS  
APPRENTICESHIP AND TRAINING TRUST  
FUND FOR NORTHERN CALIFORNIA,

Plaintiffs,

v.

NEWCON CONCRETE CONSTRUCTION, INC.,  
a California corporation; and MICHAEL HANSEN,  
an Individual,

Defendants.

Case No.: C-05-5425 CRB

**PLAINTIFFS' STATEMENT IN LIEU  
OF CASE MANAGEMENT  
CONFERENCE STATEMENT;  
~~(PROPOSED)~~ CASE MANAGEMENT  
ORDER**

**DATE: July 7, 2006**

**TIME: 8:30 a.m.**

**COURTROOM: 8**

**JUDGE: Hon. Charles R. Breyer**

Plaintiffs submit this statement in lieu of the Case Management Conference Statement and, because of the status of the case as set forth below, request that the Case Management Conference either be vacated or be continued for a period of 90 days.

The Complaint was filed against defendants Newcon Concrete Construction, Inc. and Michael Hansen. Both defendants were served on January 24, 2006. Defendant Hansen brought a motion to dismiss. By Order of Dismissal entered on March 17, 2006, the Court granted Mr. Hansen's motion, with leave to amend. Plaintiffs chose not to file an amended complaint against Mr. Hansen, the time

1 to amend has expired, and Judgment was entered as to Mr. Hansen on April 21, 2006.

2 Defendant Newcon Concrete Construction, Inc. did not file a responsive pleading, and default  
3 was entered against it on March 15, 2006. Plaintiffs have filed a Motion for Default Judgment as to  
4 Newcon, which is set for hearing on August 4, 2006.

5 In light of the status of the case, plaintiffs request that the Case Management Conference  
6 either be vacated or be continued for a period of 90 days.

7 DATED: June 30, 2006

STANTON, KAY & WATSON, LLP

8  
9 By Anne Bevington  
Anne Bevington

10 Attorneys for Plaintiffs  
11

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13 **CASE MANAGEMENT ORDER**

14 The Case Management Conference previously set for July 7, 2006, at 8:30 a.m., is hereby:

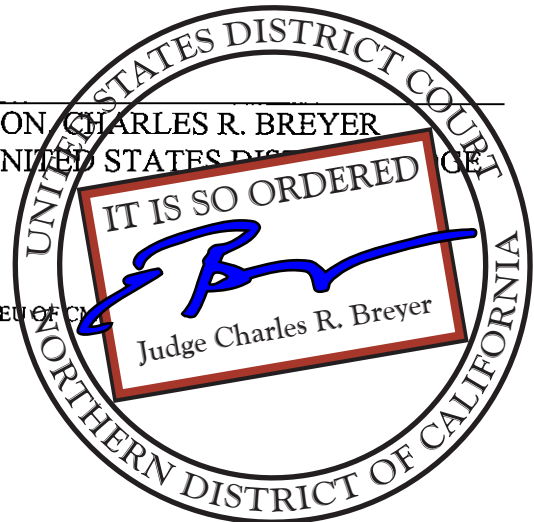
15 ☒ Vacated.

16 ☐ Continued to \_\_\_\_\_, at the hour of \_\_\_\_\_, in

17 Courtroom 8, 19<sup>th</sup> Floor (San Francisco).

18 DATED: July 05, 2006  
19

20 HON. CHARLES R. BREYER  
UNITED STATES DISTRICT COURT



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22 F:\CASES\8000\8000.202 Newcon Concrete\PLEADINGS\STATEMENT IN LIEU OF C  
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